PTO/SB/24 (06-04)
Approved for use through 07/31/2006, OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of Information unless it displays a valid OMB control number

## **EXPRESS ABANDONMENT UNDER** 37 CFR 1.138

Fax directly to the Pre-Grant Publication Division at (703) 305-8568; or mail to: Mail Stop Express Abandonment Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Ï	Application Number	09/826,750		
ŀ	Filing Date	April 5, 2001		
l	First Named Inventor	Dwip N. Banerice		
	Art Unit	2176		
	Examiner Name	Tran, Quoc A.		
ſ	Attorney Docket Number	AUS920010175US1		

Please check only one of boxes 1 or 2 below: (If no box is checked, this paper will be treated as a request for express abandonment as of the filing data of this paper.)							
Express Abandonment I request that the above-identified application be expressly abandoned as of the filing date of this paper.							
2. Express Abandonment in Favor of a Continuing Application I request that the above-identified application be expressly abandoned as of the filing date accorded the continuing application filed previously or herewith.							
NOTE: A paper requesting express abandonment of an application is not effective unless and until an appropriate USPTO official recognizes and acts on the paper. See the Manual of Patent Examining Procedure (MPEP), section 711.01.							
TO AVOID PUBLICATION, PLEASE USE FORM PTO/SB/24A INSTEAD OF THIS FORM.							
I am the: applicant.							
assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)							
attorney or agent of record. Registration Number 48,130							
attorney or agent acting under 37 CFR 1.34 (may act under 37 CFR 1.34 only if box 2 above, stating that the application is expressly abandoned in favor of a continuing application, is checked). Attorney or agent registration number if acting under 37 CFR 1.34.							
(Attorney or agent registration number)							
Signature RECEIVED	October 11, 2005						
USPTO-PG PUBS							
	<u>713.939.9444</u>						
Typed or printed name	Telephone Number						

Note	Signature	of all the	inventors or assignees of record of the entire interest or their representative(s) are required. S	Submit multiple forms		
more than one signature is required, see below.						
	Total of	one	forms are submitted.			

This collection of Information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process an application). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Mail Stop Express Abandonment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

JEFFREY L. STREETS
PATRICK K. STEELE
FRANK J. CAMPIGOTTO†
STEVEN L. CHRISTIAN

†Licensed by Ohio Supreme Court and U.S. Patent and Trademark Office All others licensed by Texas Supreme Court and U.S. Patent and Trademark Office

## STREETS & STEELE

Intellectual Property Attorneys

13831 Northwest Freeway, Suite 355 Houston, Texas 77040 (713) 939-9444 Fax (713) 939-9508 Patents, Trademarks, Copyrights, Licensing, Trade Dress, Trade Secrets, Unfair Competition, Technology Development, Computer and Internet Law

Date:

October 11, 2005

To:

Examiner Tran, Quoc A.

Art Unit:

2176

Facsimile:

703-305-8568

USPTO

Telephone:

From:

Streets & Steele

Atty Docket: AUS920010175US1

Debi Labay

(IBM/0004)

Serial No.: 09/826,750

Our Deposit Account Log No.: 1014

Confirmation No: 8858

Pages:

3 (with cover)

Message:

CERTIFICATE OF TRANSMISSION 37 C.F.R. 1.8

I hereby certify that this correspondence is being facsimile transmitted to the USFTO to the number 571,273-8300 on the date below:

Attached please find the following documents for the above referenced patent application:

- 1) Transmittal Form; and
- 2) Express Abandonment.

## CONFIDENTIALITY NOTE

The document accompanying this facsimile transmission contains information from the law firm of Streets & Steele which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

Typed or printed name

Debi Labay

PTO/SB/21 (09-04) Approved for use through 07/31/2006. OMB 0551-0031 U.S. Palont and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to reapond to a collection of information unless it displays a valid OMB control number. Application Number 09/826,750 TRANSMITTAL Filing Date April 5, 2001 First Named Inventor **FORM** Dwip N. Banerjee Art Unit 2176 **Examiner Name** Tran, Quoc A. (to be used for all correspondence after Initial filing) Attorney Docket Number AUS920010175US1 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC Petition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a Proprietary Information Provisional Application After Final Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please identify Terminal Disclaimer Extension of Time Request below): Fax cover sheet Request for Refund Express Abandonment Request CD, Number of CD(s)\_ Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name STREETS & Signature Printed name Frank J. Campigotto Date Reg. No. October 11, 2005 48,130 **CERTIFICATE OF TRANSMISSION/MAILING** I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Petent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date

October 11, 2005